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NOTICE OF ALLOWANCE AND FEE(S) DUE

24498 7590 05/12/2011
Robert D. Shedd, Patent Operations
THOMSON Licensing LLC
P.O. Box 5312
Princeton, NJ 08543-5312

EXAMINER

MOORTHY, ARAVIND K

ART UNIT

PAPER NUMBER

2492

DATE MAILED: 05/12/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,676	06/12/2006	John Alan Gervais	PU030342	4964

TITLE OF INVENTION: SECURE PORTING OF INFORMATION FROM ONE DEVICE TO ANOTHER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	08/12/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

**Mail Stop ISSUE FEE
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P.O. Box 1450
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INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	08/12/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
MOORTHY, ARAVIND K	2492	713-193000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PT095B(12) attached).
☐ "Fee Address" indication (or "Fee Address" Indication form PT085A(7; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, _____
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reuply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims **SMALL ENTITY** status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming **SMALL ENTITY** status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 334 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 334 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability**Application No.**

10/582,676

Applicant(s)

GERVAIS ET AL.

Examiner

ARAVIND K. MOORTHY

Art Unit

2492

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9 February 2011.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Aravind K Moorthy/
Primary Examiner, Art Unit 2492

DETAILED ACTION

1. This is in response to the appeal brief filed 9 February 2011.
2. Claims 1-13 are pending in the application.
3. Claims 1-13 have been allowed.

Allowable Subject Matter

4. Claims 1-13 are allowed.

The following is an examiner's statement of reasons for allowance:

As to independent claim 1, prior art does not disclose, teach or fairly suggest a removable digital memory including a port at which digital information stored on said removable digital memory can be accessed; a memory for storing first conditional access data and at least one content encryption key; a second port for receiving user certificate data and a first key of a key pair contained in a write once memory of an access card that has been paired with a destination device; and a processor responsive to the user certificate data received on said second port for authenticating the received certificate data based on the first conditional access data stored in said memory, the processor, upon said authentication, encrypting information stored in said removable digital memory using the at least one content encryption key, to thereby provide encrypted information in said removable digital memory, the processor operable for encrypting said content encryption key using said first key received on said second port and outputting said encrypted content encryption key to enable access of said encrypted information stored on said removable digital memory by an external device.

As to independent claim 6, prior art does not disclose, teach or fairly suggest a memory having stored therein a first conditional access certificate and a second conditional access

certificate; a write once memory; means for authenticating first and second conditional access certificates with respective first and second certificate data stored on respective destination and source devices; said write once memory, following authentication of said card with a destination device, being updated to store a public key of a public/private key pair stored in said destination device to thereby pair the access card with said destination device; and a processor operable for, upon authentication of said card with a source device, controlling transmission of said public key to said source device, wherein, in response thereto, said memory being updated to store encrypted data comprising a first key encrypted using said public key, said first key also being used to encrypt information on said removable memory at said source device, whereby communication of said encrypted data to said destination device enables decryption of said data using said private key to recover said first key, to thereby decrypt encrypted information in said removable memory.

As to independent claim 8, prior art does not disclose, teach or fairly suggest a digital information input port; a digital information decoder coupled to said digital information input port for decoding digital information encoded with a content encoding key, when said content encoding key is available, to thereby produce unencoded digital information; memory preloaded with at least a second stored User Certificate and mutually corresponding private and public encryption keys associated with said destination device; a content encoding key decryptor for decrypting said content encoding key with a content encoding key encryption key; an access card reader for reading an access card, where said access card includes authentication means and a write once memory which, prior to a first insertion in said destination device, includes at least a second Conditional Access Certificate and a first User Certificate and which, after said first

insertion, includes at least said public portion of said private and public encryption keys thereby pairing the access card and the destination device and which, prior to a subsequent insertion in said destination device, is inserted into a source device and updated to include a content encoding key encrypted with said key encryption key, whereby said destination device, following said subsequent insertion of said access card, has the key encryption key and can decrypt said content encoding key and, using said content encoding key, decode said digital information encoded with said content encoding key.

As to independent claim 9, prior art does not disclose, teach or fairly suggest receiving at the source device user certificate data from an access device that has been paired with a destination device and comparing the user certificate data with a first Conditional Access Certificate stored in memory of said source device for authenticating the certificate data; accessing, by said source device, said information stored in said removable digital memory and encrypting said information stored in said removable digital memory using at least one content encryption key stored in said source device, upon authentication of said certificate data; receiving at the source device a public key from a write once memory of the access device and encrypting said at least one content encryption key using said public key, and transmitting said encrypted content encryption key to enable access of said encrypted information stored on said removable digital memory by an external device communicable with said access device.

As to independent claim 10, prior art does not disclose, teach or fairly suggest providing a source device having a removable digital memory and including a first Conditional Access Certificate; providing a destination device having a second stored User Certificate and also including mutually corresponding private and public encryption keys associated with said

destination device; providing an access card capable of use with both said source device and said destination device, said access card including a second Conditional Access Certificate and a first User Certificate stored therein; placing said access card in said access card port of said destination device a first time; after said placing of said access card in said destination device a first time, accessing said second User Certificate from said destination device, and, within said access card, authenticating said second User Certificate from said destination device with said second Conditional Access Certificate to determine if said public encryption key should be read from said destination device and stored in said access card; if said public encryption key of said destination device should be written to said access card, writing said public encryption key from said destination device to said access card; removing said access card from said destination device after said writing of said public encryption key; inserting said access card into said source device, and authenticating said first User Certificate with said first Conditional Access Certificate to determine if said access card is valid; if said access card is deemed to be valid by said source device, copying said public encryption key from said access card to said source device; at said source device, encrypting at least some of said digital information in said digital memory using at least one content encryption key to produce encrypted information, using said public encryption key from said destination device to encrypt said content encryption key to thereby generate at least one encrypted content encryption key, and storing said at least one encrypted content encryption key in said access card; connecting said port of said digital memory to said digital information port of said destination device; placing said access card in said access card port of said destination device a second time; after said step of placing said access card in said access card port of said destination device a second time, copying said at least one encrypted

content encryption key from said access card to said destination device, and decrypting said encrypted content encryption key using the private key; and at said destination device, receiving said encrypted information from said digital memory, and using said content encryption key to decrypt said encrypted information.

As to independent claim 13, prior art does not disclose, teach or fairly suggest a memory having at various times at least first, second, and third states; authenticating means; said memory comprising, in said first state, a second Conditional Access Certificate and a first User Certificate stored therein; said memory, in said second state, following a first insertion of said card and first authentication, where said first insertion of said card is into an access card port of a digital information destination device including a digital information port which is capable of receiving said digital, information, a second stored User Certificate and mutually corresponding private and public encryption keys associated with said destination device, and said first authentication is performed by said authenticating means authenticating said second User Certificate from said destination device with said second Conditional Access Certificate, comprising said public encryption key from said destination device; said memory, in said third state, following a second insertion of said card and second authentication, where said second insertion of said card is into an access card port era digital information source device including a removable digital memory containing digital information and a further memory containing a first Conditional Access Certificate and at least one content encryption key, and also following authentication of said first User Certificate stored in said memory of said access card with said first Conditional Access Certificate stored in said source device to establish validity of said access card to said source

device, comprising said at least one content encryption key encrypted with said public encryption key.

Any claims not directly addressed are allowed on the virtue of their dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARAVIND K. MOORTHY whose telephone number is (571)272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/582,676
Art Unit: 2492

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/Aravind K Moorthy/
Primary Examiner, Art Unit 2492